

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 65th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Alan Doane, on February 15, 2017 at 8:00 AM, in Room 137
Capitol

ROLL CALL

Members Present:

Rep. Alan Doane, Chair (R)
Rep. Seth Berglee, Vice Chair (R)
Rep. Virginia Court, Vice Chair (D)
Rep. Laurie Bishop (D)
Rep. Bob Brown (R)
Rep. Jennifer Eck (D)
Rep. Kathy Kelker (D)
Rep. Theresa Manzella (R)
Rep. Nate McConnell (D)
Rep. Dale Mortensen (R)
Rep. Zac Perry (D)
Rep. Matt Regier (R)
Rep. Lola Sheldon-Galloway (R)
Rep. Barry Usher (R)
Rep. Kirk Wagoner (R)

Members Excused:

Rep. Bill Harris (R)
Rep. Ellie Hill Smith (D)
Rep. Casey Knudsen (R)
Rep. Shane A. Morigeau (D)

Members Absent: None

Staff Present: Sara Fleming, Committee Secretary
Helen Thigpen, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 417, 2/10/2017; HB 427, 2/10/2017; HJ 8, 2/10/2017
Executive Action: HB 398, HB 94

HEARING ON HB 427**Opening Statement by Sponsor:**

00:01:09 Rep. Austin Knudsen (R), HD 34, opened the hearing on HB 427, Clarify property owner not liable for firefighter acts.

00:01:50 Rep. Morigeau joined the meeting

Proponents' Testimony: None**Opponents' Testimony:**

00:05:56 Leonard Lundby, Montana Fire Alliance, Manchester Volunteer Fire Department

Informational Testimony: None**Questions from Committee Members and Responses:**

00:09:13 Rep. Wagoner
00:09:38 Rep. A. Knudsen
00:10:22 Rep. McConnell
00:10:29 Rep. A. Knudsen
00:11:04 Rep. Eck
00:11:24 Rep. A. Knudsen
00:12:53 Rep. Harris joined the meeting
00:13:09 Rep. C. Knudsen joined the meeting

Closing by Sponsor:

00:14:01 Rep. A. Knudsen

HEARING ON HJ 8**Opening Statement by Sponsor:**

00:15:22 Rep. Brad Tschida (R), HD 97, opened the hearing on HJ 8, Joint resolution for a convention of the states to impose federal fiscal limits.

Proponents' Testimony:

00:19:06 Lyle Rich, Self
00:22:32 John Goff, Self
00:25:56 David Swanson, Self

Opponents' Testimony:

00:31:46 Robert Brown, Self
00:37:30 Mitt Butcher, Self
00:44:17 Roger Nummerdor, Self
00:46:16 Eve Brown, Self
00:50:52 Glen Timm, Self

Informational Testimony: None

Questions from Committee Members and Responses:

00:51:35 Rep. Bishop
00:52:13 Glen Timm, Self
00:56:30 Rep. Manzella
00:57:09 Robert Brown, Self
01:01:11 Chair Doane
01:01:28 Robert Brown, Self

Closing by Sponsor:

01:05:24 Rep. Tschida

01:10:01 Recess
01:22:40 Reconvene

HEARING ON HB 417

Opening Statement by Sponsor:

01:23:05 Rep. Kelly McCarthy (D), HD 49, opened the hearing on HB 417, Generally revise laws related to non-discrimination.

Proponents' Testimony:

01:33:29 SK Rossi, American Civil Liberties Union (ACLU)
[EXHIBIT\(juh33a01\)](#)

01:38:21 Kathleen O'Donnell, Self
[EXHIBIT\(juh33a02\)](#)

01:43:16 Angie Rolando, Self
[EXHIBIT\(juh33a03\)](#)

01:48:42 Shawn Reagor, Self
[EXHIBIT\(juh33a04\)](#)

01:52:12 Anna Doran, Self
[EXHIBIT\(juh33a05\)](#)

01:55:32 Shalon Hastings, Self
[EXHIBIT\(juh33a06\)](#)
[EXHIBIT\(juh33a07\)](#)

01:57:03 Reverend Susan Otey, Christ United Methodist Church
[EXHIBIT\(juh33a08\)](#)
[EXHIBIT\(juh33a09\)](#)

02:00:43 Mark Lauburg, Keller Williams Capital Realty
02:05:44 Andrew Huff, Governors' Office
[EXHIBIT\(juh33a10\)](#)

02:06:58 Jules Shindel, Montana Human Rights Network

02:08:54 Kim Leighton, Pride Foundation

[EXHIBIT\(juh33a11\)](#)

[EXHIBIT\(juh33a12\)](#)

02:10:20 Robin Turner, Montana Coalition Against Domestic and Sexual Violence
(MCADSV)

[EXHIBIT\(juh33a13\)](#)

02:11:49 Micaela Cichosz-King, Self

02:13:34 Sarah Howell, Montana Women Vote

02:13:53 Sam Forstag, Associated Students of University of Montana (ASUM)

02:14:14 Abigail Belcher, Associated Students of University of Montana (ASUM)

02:14:26 Dillon Ecord, Associated Students of Montana State University (ASMSU)

02:14:40 Robert Moore, Self

02:14:49 El Fettig, Self

02:15:03 Tyler Amundson, St. Paul's United Methodist Church

02:15:18 Maren Haynes, New Montana Interfaith Network

02:15:33 Hayley Cox, Self

02:15:43 Reverend Dana Kaneer, First Christian Church

02:16:03 Katie Westoff, Montana Public Interest Research Group

02:16:23 Paige Robinson

02:16:28 Brier Harick, Self

02:16:45 Hillary Crosby, Self

Opponents' Testimony:

02:17:11 Jeff Laszloffy, Montana Family Foundation

02:20:58 Ed Halland, Self

[EXHIBIT\(juh33a14\)](#)

02:25:45 Rick Vaught, Christian Education Association, Gallatin County Campaign for
Liberty

02:32:20 Sen. Howard

[EXHIBIT\(juh33a15\)](#)

02:35:56 Constance Newmann, Self

02:41:27 Mike McGevron, Self

02:46:17 Lester Hall, Self

02:51:19 Matthew Brower, Montana Catholic Conference

[EXHIBIT\(juh33a16\)](#)

02:54:34 Tom Pritchett, Self

[EXHIBIT\(juh33a17\)](#)

02:55:12 Lyle Schwabauer, Self

02:57:15 Dick Pence, Big Sky World View Forum

02:58:29 Jennifer Conroy, Self

[EXHIBIT\(juh33a18\)](#)

03:01:20 Mark Cramer, Self

03:02:37 Donald Morgan, Self

03:03:03 Steve Bostrom, Self
[EXHIBIT\(juh33a19\)](#)

03:03:31 Nancy Pence, Self
03:03:39 Chad Hesler, Canyon Ferry Road Baptist Church
03:03:55 Michael Conroy, Self

Informational Testimony: None

Questions from Committee Members and Responses:

03:04:23 Rep. Morigeau
03:05:18 SK Rossi, ACLU
03:08:49 Rep. Kelker
03:09:28 Anna Doran, Self
03:11:05 Rep. Eck
03:11:26 Robin Turner, MCADSV
03:12:12 Rep. Eck
03:12:27 Shawn Reagor, Self
03:13:47 Rep. Harris
03:14:19 Rep. McCarthy
03:16:45 Rep. Bishop
03:18:09 Mike McGevron, Self
03:21:40 Rep. McConnell
03:21:54 SK Rossi, ACLU
03:22:54 Rep. Court
03:23:29 Robin Turner, MCADSV
03:25:37 Rep. Berglee
03:26:01 Jeff Laszloffy, Montana Family Foundation

Closing by Sponsor:

03:28:22 Rep. McCarthy

Committee Business:

03:33:50 Rep. B. Brown
03:34:12 Rep. McConnell
03:34:19 Rep. Kelker
03:34:56 Chair Doane
03:35:10 Rep. Usher
03:37:21 Rep. Hill Smith arrived to the meeting
03:39:13 Rep. Morigeau
03:39:37 Chair Doane
03:41:48 Rep. Court

EXECUTIVE ACTION ON HB 398

03:42:16 **Motion:** Rep. Berglee moved that **HB 398 DO PASS.**

Discussion:

03:42:25 Helen Thigpen, Legislative Services Division (LSD)

03:43:33 **Motion:** Rep. Berglee moved that **HB 398 BE AMENDED.**
EXHIBIT(juh33a20)

03:43:46 **Vote:** Motion carried unanimously by voice vote. Rep. Mortensen and Rep. Wagoner voted by proxy.

03:44:15 **Motion:** Rep. Berglee moved that **HB 398 DO PASS AS AMENDED.**

Discussion:

03:44:17 Chair Doane

03:44:48 Rep. Usher

03:45:43 Helen Thigpen, LSD

03:45:47 Rep. Harris

03:46:48 Rep. Eck

03:46:58 Helen Thigpen, LSD

03:47:26 Rep. Sheldon-Galloway

03:48:27 Rep. Manzella

03:49:41 Rep. Hill Smith

03:51:13 Rep. Harris

03:51:28 Rep. McConnell

03:52:11 Rep. C. Knudsen

03:52:52 Rep. McConnell

03:53:59 Rep. Bishop

03:55:06 Rep. Kelker

03:55:58 Rep. Regier

03:56:25 Rep. Harris

03:57:09 Rep. Bishop

03:57:46 **Vote:** Motion failed 6-13 by roll call vote with Rep. Court, Rep. Harris, Rep. Hill Smith, Rep. Kelker, Rep. McConnell and Rep. Mortensen voting aye. Rep. Mortensen and Rep. Wagoner voted by proxy.

03:59:05 **Motion:** Rep. Court moved that **HB 398 BE TABLED.** Motion carried.

EXECUTIVE ACTION ON HB 94

03:59:20 **Motion:** Rep. Berglee moved that **HB 94 DO PASS.**

Discussion:

03:59:25 Helen Thigpen, LSD

03:59:58 **Motion:** Rep. Berglee moved that **HB 94 BE AMENDED.**
EXHIBIT(juh33a21)

Discussion:

04:00:11 Helen Thigpen, LSD

04:01:17 Rep. Garner

04:02:27 Perry Johnson, POST Council

04:04:00 Rep. Manzella

04:04:29 Chair Doane

04:04:36 Mark Murphy, Alternatives Inc.
04:06:31 Rep. Court
04:06:53 Rep. McConnell

04:07:24 **Vote:** Motion carried unanimously by voice vote. Rep. Mortensen and Rep. Wagoner voted by proxy.

04:07:58 **Motion:** Rep. Doane moved that **HB 94 BE POSTPONED**. Motion was without objection.

ADJOURNMENT

Adjournment: 04:08:34

Sara Fleming, Secretary

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Additional Documents:

EXHIBIT([juh33aad.pdf](#))